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10 Attorneys for Defendant
11 HOME DEPOT U.S.A., INC.

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15 Attorney for Plaintiff
16 JAMES L. LOUSHIN

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19

20 JAMES L. LOUSHIN,

21 Plaintiff,

22 v.

23 HOME DEPOT U.S.A., INC., a
24 Delaware corporation; and DOES 1
through 20,

25 Defendants.
26

Case No. C11-00596 MEJ

The Hon. Maria-Elena James, Presiding

**STIPULATION AND ~~PROPOSED~~
ORDER RE DISMISSAL OF
ACTION WITH PREJUDICE**

1 Plaintiff James L. Loushin ("Plaintiff") and Defendant Home Depot U.S.A.,
2 Inc., by and through their respective counsel of record, hereby jointly stipulate to and
3 request the dismissal of the above-entitled action, with prejudice, pursuant to
4 Rule 41(a)(1) of the Federal Rules of Civil Procedure. Additionally, Plaintiff
5 requests that Plaintiff's complaint be dismissed in its entirety with prejudice, with the
6 parties to bear their own costs and expenses.

7 IT IS SO STIPULATED.

8 Dated: June 17, 2011

**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

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11 By: /s/ Elizabeth A. Falcone

12 Andrew J. Jaramillo
13 Elizabeth A. Falcone
14 Micah D. Fargey

Attorneys for Defendant
THE HOME DEPOT U.S.A., INC.

15 Dated: June 17, 2011

CYNTHIA A. BROWNING

16
17 By: /s/ Cynthia A. Browning

18 Cynthia A. Browning

19 Attorney for Plaintiff
20 JAMES L. LOUSHIN

PROPOSED ORDER

21 PURSUANT TO THE STIPULATION OF THE PARTIES, and for good
22 cause shown, this action is hereby dismissed with prejudice, with each party to bear
23 their own costs and attorneys' fees. The Clerk shall close the file.

24 IT IS SO ORDERED.

25 Dated: June 17, 2011

26 
27 The Honorable Maria-Elena James
28 United States Magistrate Judge